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COUNSEL TO THE DEBTORS  
AND DEBTORS IN POSSESSION

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:	Chapter 11
Northwest Senior Housing Corporation, <i>et al.</i> , <sup>1</sup>	Case No. 22-30659 (MVL)
Debtors.	
Northwest Senior Housing Corporation,	
Plaintiff,	
v.	Adv. No. 22-03040 (MVL)
Intercity Investment Properties, Inc., and Kong Capital, LLC,	
Defendants.	
Intercity Investment Properties, Inc.,	
Counter-Plaintiff,	
v.	
Northwest Senior Housing Corporation,	
Counter-Defendant.	

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are Northwest Senior Housing Corporation (1278) and Senior Quality Lifestyles Corporation (2669). The Debtors' mailing address is 8523 Thackery Street, Dallas, Texas 75225.

**PLAINTIFF'S REQUEST FOR EXPEDITED CONSIDERATION OF PLAINTIFF'S MOTION FOR LEAVE TO SUPPLEMENT THE RECORD ON ITS MOTION TO COMPEL (FILED UNDER SEAL)**

Debtor Northwest Senior Housing Corporation (“**Plaintiff**”) files this request (the “**Request**”) with respect to the *Plaintiff's Motion for Leave to Supplement the Record on its Motion to Compel (Filed Under Seal)* [Dkt. No. 196] (the “**Motion to Supplement**”), and respectfully states as follows:<sup>2</sup>

1. On August 23, 2022, the Plaintiff filed the *Plaintiff's Motion to Compel Defendants to Respond to Discovery Requests* [Dkt. No. 98] (the “**Motion to Compel**”). Hearings were held with respect to the Motion to Compel and a status conference was set for October 26, 2022. See Docket No. 183.

2. On October 17, 2022, the Plaintiff filed the Motion to Supplement in response to recently produced and discovered documents that further reflect and reveal the nature of the relationship between Intercity Investment Properties, Inc. (“**ICI**”) and Kong Capital, LLC (“**Kong**” and together with ICI, the “**Defendants**”), which was that of a business arrangement despite the Defendants having previously denied the existence of such a business relationship.

3. By filing this Request, the Plaintiff requests that the Court set the Motion to Supplement for hearing on **October 26, 2022 at 1:30 p.m.** to be heard prior and in connection with the Motion to Compel that is set for hearing on October 26, 2022 at 1:30 p.m.

4. Expedited consideration of the Motion to Supplement is necessary because new information has been discovered that will guide the Court in analyzing issues that are central to the Plaintiff's Motion to Compel. Indeed, on October 10, 2022, Defendants produced additional documents that further support the Motion to Compel. These newly-produced documents are more

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<sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion to Supplement.

specifically discussed in the Motion to Supplement, which was filed under seal to protect information based on representations of confidentiality by counsel for the Defendants.

5. Further, expedited consideration of the Motion to Supplement will not harm or prejudice parties in interest, who will have ample notice and opportunity to file a response prior to October 26, 2022. Most importantly, the Defendants already have notice of the hearing scheduled on October 26, 2022, given that the Plaintiff's Motion to Compel was filed on August 23, 2022 and has been adjourned multiple times at hearings where counsel for the Defendants appeared and participated. Moreover, counsel is well apprised of the issues presented to the Court in connection with the pending Motion to Compel and, based on conferences with counsel for Plaintiff, understands the issues raised in the Motion to Supplement. Thus, Defendants will have ample ability to prepare a response if the Court grants this Request. Accordingly, the Plaintiff further requests that the Court establish **October 21, 2022 (CT)** as the deadline to object to the Motion to Supplement.

6. Based on the foregoing, the Plaintiff believes that it is in the best interest of the above-captioned debtors' estates for the Motion to Supplement to be set on an expedited basis.

**WHEREFORE**, the Plaintiff respectfully requests that the Court grant this Request and set the Motion to Supplement for hearing on **October 26, 2022 at 1:30 p.m. (CT)**, and for such other relief as may be just and proper.

Dated: October 18, 2022

**POLSINELLI PC**

/s/ Trinitee G. Green

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COUNSEL TO THE DEBTORS  
AND DEBTORS IN POSSESSION AND THE  
PLAINTIFF AND COUNTER-DEFENDANT

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 18, 2022 a true and correct copy of the foregoing was served upon all persons registered to receive service in the above-captioned adversary proceeding, including counsel of record, via the Court's ECF/CMF electronic service system.

*/s/ Trinitee G. Green*

Trinitee G. Green